

Case 3613***Nyctimystes cheesmani* Tyler 1964 (Amphibia, Anura, HYLIDAE):
request for setting aside the name in favour of *Nyctimystes
cheesmanae* Tyler 1964**

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Abstract. The purpose of this application, under Article 33.2.3 of the Code, is to correct the spelling *cheesmani* to *cheesmanae* for a tree frog named after Evelyn Cheesman. Following the finding that *Hyla montana* Peters & Doria, 1878 was in reality a member of the genus *Nyctimystes* Stejneger, *N. montana* Parker, 1936 became a secondary homonym. The replacement name, *N. cheesmani* Tyler, 1964, was given a masculine suffix, in error. Following the emendation to the feminine *cheesmanae* by Menzies (1976), there has been argument about whether the emendation was justified or not. To resolve the matter the Commission is here asked to rule that the emendation was justified and to place *N. cheesmanae* on the Official List of Specific Names in Zoology.

Keywords. Nomenclature; taxonomy; Amphibia; Anura; HYLIDAE; *Hyla*; *Nyctimystes*; *Nyctimystes montana*; *Nyctimystes cheesmanae*; New Guinea; tree frog.

1. Peters & Doria (1878, p. 103) described *Hyla montana*, a tree frog from the Arfak Mountains of western (Indonesian) New Guinea. Parker (1936, p. 80) described *Nyctimystes montana*, a new species of tree frog from Mondo in eastern New Guinea. Tyler (1964, 266) demonstrated that *Hyla montana* Peters & Doria, 1878 exhibits features of the genus *Nyctimystes* Stejneger, 1916 and transferred it to that genus. As a consequence, *Nyctimystes montana* Parker, 1936 became a secondary homonym of *Nyctimystes montana* Peters & Doria, 1878. In 1963 M.J. Tyler approached H.W. Parker (in accordance with Recommendation 3 in Appendix A of the International Code of Zoological Nomenclature, 1961, First Edition, then in effect) seeking that he (Parker) propose a replacement name. Parker responded that he was unfamiliar with the current literature and accordingly suggested that Tyler coin and publish a replacement name. Because the holotype of *Nyctimystes montana* Parker lacked any distinctive features, the specific epithet *cheesmani* (genitive masculine) was proposed in recognition of the collector Evelyn Cheesman (Tyler, 1964, p. 268) although this derivation was not specifically stated in Tyler's paper. Tyler and Parker both knew that Evelyn Cheesman was a woman and Parker had

already named several frog and lizard species in her honour, e.g. *Lipinia cheesmanae*, *Platymantis cheesmanae*, *Barygenys cheesmanae* and *Cophixalus cheesmanae*. Tyler admits that he made a mistake and that the species name should have been *Nyctimystes cheesmanae*. Tyler has never acknowledged the mistake directly in print, but his acceptance of the mistake was implicit in that he used the emended name *cheesmanae* in his paper (Tyler & Davies, 1979, p. 79). This is further made clear in the footnote on page 160 of Menzies's (2006) 'Frogs of New Guinea and the Solomon Islands.' Menzies wrote '... the author (Tyler) tells me that the masculine termination was a genuine error ...'.

2. Menzies (1976, p. 45) emended the name to *Nyctimystes cheesmanae* because he considered that such an emendation was justified under Article 32.5 of the Code. Tyler's error was certainly inadvertent as both he and Parker knew that Evelyn Cheesman was a woman.

3. Zweifel (1980, p. 400) expressed the opinion that Menzies' (1976) emendation was unjustified and used the masculine form, but usage has varied among authors since 1976. For instance, Tyler & Davies (1979, p. 765) and Zweifel & Tyler (1982, pp. 764, 781) used *cheesmanae*; Zweifel (1983, p. 15), Frost (1985) and Richards (2003) used *cheesmani*; Tyler (1999, p. 561), Richards (2007, pp. 108, 115), Frost (2006, p. 362) and Menzies (2006, p. 160) all used *cheesmanae*; Rosauer et al. (2009), Wiens et al. (2010) and Kraus (2012) used *cheesmani*. This is an unsatisfactory situation causing confusion. We therefore request a Commission's ruling under Article 33.2.3.1 of the Code.

4. The International Commission on Zoological Nomenclature is accordingly asked:

- (1) to use its plenary power to rule that *cheesmanae* Tyler, 1964, as published in the binomen *Nyctimystes cheesmani* Tyler, 1964 and emended by Menzies (1976), is a justified emendation;
- (2) to place on the Official List of Specific Names in Zoology the name *cheesmanae* Tyler, 1964, as published in the binomen *Nyctimystes cheesmani* Tyler, 1964 and as emended by Menzies (1976);
- (3) to place on the Official Index of Rejected and Invalid Specific Names in Zoology the name *cheesmani* Tyler, 1964 as published in the binomen *Nyctimystes cheesmani*.

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Comments on this case are invited for publication (subject to editing) in the *Bulletin*; they should be sent to the Executive Secretary, I.C.Z.N., c/o Natural History Museum, Cromwell Road, London SW7 5BD, U.K. (e-mail: iczn@nhm.ac.uk).